IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 24994 of 2007(A)

PETITIONER:

R.MURALIDHARAN PILLAI,
U.D.CLERK (RETIRED).P.W.D.N.H.SUB DIVISION,
KOLLAM.NO-FI-N.G.O. QUARTERS,KOLLAM-13.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY\
SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,SECRETARIAT,
THIRUVANANTHAPURAM.

2. CHIEF ENGINEER,
OFFICE OF THE CHIEF ENGINEER,
P.W.D.ADMINISTRATION,
THIRUVANANTHAPURAM.

3. ASSISTANT EXECUTIVE ENGINEER,
P.W.D.N.H. SUB DIVISION,
KOLLAM.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC,J.

W.P (C) No. 24994 of 2007

Dated this the 17th day of August, 2007

J U D G M E N T

Petitioner is a U.D.Clerk in the Public Works Department since 31.8.1989. He states that 124 Lower Division Clerks, who were juniors to the petitioner were promoted as U.D.Clerks with effect from 1985. Complaints were raised against the promotions so made and the 2nd respondent by Ext.P2 has informed the 3rd respondent that the discrepancies pointed out by the petitioner in his representation will be considered at the time of reviewing similar cases. It is stated that there has not been any progress made and that even Exhibit-P3 representation made in this behalf also has not been responded to favourably. It is in these circumstances, this writ petition has been filed by the petitioner praying for a direction to the 2nd respondent to rectify the anomalies in the promotion of the petitioner from L.D. Clerk to U.D. Clerk.

2. As already noted, the complaint of the petitioner is that in the matter of promotion, his juniors were allowed to have a march over him. This has been pointed out by the petitioner and the 2nd respondent by Ext.P2 has responded that it will be

considered at the time of reviewing similar cases. Uncertainty cannot be allowed to continue endlessly and therefore it is essential that the rectification, if any, has to be finalised without delay. In the circumstances, this writ petition is disposed of directing the 2nd respondent to take a decision on the representation of the petitioner and pass appropriate orders thereon, as expeditiously as possible, at any rate, within four weeks from the date of receipt of a copy of this judgment. Petitioner shall produce a copy of this judgment before the 2nd respondent, for compliance.

(ANTONY DOMINIC,JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007